

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

VICTORIA T. McPHATTER; ALEXIS M.)
SCHOENTHAL; and HUGH Q. SMITH, on)
behalf of themselves and others)
similarly situated, including but) CIVIL NO. 1:05CV00027
not limited to: JAMES MICHAEL)
MCSWAIN; DEBORAH M. MICHALIC;)
SHARON ALESIA MILLER; BARBARA P.)
MOORE; SHIRLEY J. MOORE; JOHN)
DENNIS MORGAN; BETTIE H. NOBLITT;)
DIANE WILSON SHYTLE; LINDA T.)
SMART; CAROL JEAN NASH SPENCER;)
MARY STATEN SPEARS; THELMA L.)
HARDIN; MARSHA ROLLINS MCKEE;)
PATRICIA ANN HANNA; REBECCA M.)
HOPKINS; BARBARA R. HOUSTON;)
CORA L. HUDSON; MARY L. HUNTLEY;)
VIVIAN B. REICHART; LAVONNE M.)
THOMPSON; ALVIN LEWIS UNDERDOWN;)
MARION C. ALEXANDER; KAYE GAMBLE)
FALLS, and Husband, ALBERT HERMAN)
FALLS; NANCY B. FOX; WILLIAM ALONZO)
GHENT; BETTY B. GILBERT; J. W.)
KAYLOR; JANICE B. CARTER; LINDA B.)
CHITWOOD; CAROLYN B. EVANS;)
WALDENE C. BERRY; ELAINE D. BLACK;)
BRENDA Y. BURGIN; MYRA G. GRAHAM;)
LINDA D. GRIFFIN; DENNIS R.)
HAMRICK; FAYE J. ERTZBERGER;)
JOHNNY C. PATTERSON; BRENDA M.)
PERRY; DELOSIE P. WALKER; JUDITH S.)
LYTLE; ALLISON GRANT; LUCINDA B.)
GARDIN; VERA P. CLIFTON; DEBORAH)
DAVIS; KATHRYN WHITE; LYNDIA S.)
MINTZ; GABRIEL F. EBERLE; CAROLYN)
FRANCK; JACQUELINE BLACK;)
PHYLLIS J. JONES; JOYCE F.)
PRESSLEY; NELLIE J. TYSON; and)
SANDRA A. MOORE; BRENDA L. MUNDAY,)
)
Plaintiffs,)

v.)
)
JEFFREY LIN SWEITZER; MATTHEW JAMES)
MULLER, SR.; SAMUEL BOYCE RANKIN;)
RANDY MATZ; JOSEPH M. ZENTNER, JR.;)
AND OTHER DEFENDANTS TO BE NAMED;)
and SALOMON, SMITH, BARNEY, INC.,)
)
Defendants.)

ORDER and JUDGMENT

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed contemporaneously herewith,

IT IS ORDERED AND ADJUDGED that Plaintiffs' motion to remand [Doc. #7] and motion for costs and expenses pursuant to 28 U.S.C. § 1447(c) are **GRANTED**, and this action is **REMANDED** to the General Court of Justice, Superior Court Division, Guilford County, North Carolina.

IT IS FURTHER ORDERED that all remaining, pending motions, which are Defendants' Motion to Dismiss [Doc. #2] (filed January 10, 2005) and Plaintiffs' Motion to Defer Consideration [Doc. #18] of Motion to Dismiss, Motion to Strike, Motion to Supplement Opposition to Motion to Dismiss, and Motion for Leave to Amend Complaint (all filed March 24, 2005), are rendered **MOOT**.

November 18, 2005


United States District Judge